

REGISTER



South Dakota Legislative Research Council

Volume 40

Monday, 8:00 a.m., July 22, 2013

NOTICE OF PROPOSED RULES: (The date in parentheses is the date the rules were filed in the Legislative Research Council.)

Department of Revenue: South Dakota Lottery Commission: (July 16, 2013) intends to adopt the Powerball Game Rules and the Power Play rules of the Powerball game, the Wild Card Game Rules, the Hot Lotto Game Rules, and the Mega Millions Game Rules and the Megaplier promotion special game rules of the Mega Millions game, as last amended by each of the respective Product Game Groups of the Multi-State Lottery Association ("MUSL"), as the rules of the South Dakota Lottery for said games. The general authority for these rules, as cited by the commission, is SDCL § 42-7A-21.

A public hearing will be held in Room 412, 4th floor, State Capitol, Pierre, South Dakota, on August 14, 2013, at 10:15 a.m. CT. Copies of the proposed rules may be obtained from and written comments sent to the Department of Revenue, Legal Division, 445 East Capitol Avenue, Pierre, South Dakota 57501-3185. A copy of the rules is also available at the department's website at <http://dor.sd.gov/publicnotices/lotteryrules081413.pdf>. Written comments must be received by August 13, 2013, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the

department can make arrangements are asked to call (605) 773-4701 at least 48 hours before the hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Executive Appointments:

Matthew Michels, Yankton, was appointed on July 11, 2013, to the **South Dakota Retirement System Board of Trustees**, to replace Sandy Zinter, effective immediately.

Ronald Wheeler, Lead, was appointed on July 11, 2013, to the **South Dakota Science and Technology Authority**, to replace Robert Wharton, effective immediately and shall continue until April 9, 2014.

Note: A copy of the rules may be obtained directly from the above agencies. Write to the agency at the address given under "Notices of Proposed Rules." There is no charge for proposed rules. The following agencies have permission from the Interim Rules Review Committee to charge for adopted rules: the Division of Insurance, the Cosmetology Commission, the State Board of Examiners in Optometry, the State Plumbing Commission, the Board of Nursing, the Department of Social Services, the State Electrical Commission, the South Dakota Board of Pharmacy, the Real Estate Commission, the Gaming Commission, the Department of Revenue and Regulation, and the Department of Labor for Article 47:03.

REMINDER OF HEARINGS SCHEDULED

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| 7-25-2013 | Labor and Regulation: Cosmetology Commission | Amend a rule to increase the allowable field trip hours for cosmetologist students from 16 to 32 hours; 40 SDR 7. |
| 7-26-2013 | Agriculture: Division of Agricultural Services | Adopt rules to require additional labeling to dairy producers selling bottled raw milk direct |

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| | | to the consumer; 40 SDR 7. |
| 7-30-2013 | Public Utilities Commission | Amend rules to update citations for "general authority" and "law implemented"; revise and update the monthly grain report rule; revise the release of bond requirements; require that notice of a suspension or revocation of a grain warehouse license must be posted in all locations where grain is received; put in procedures for the handling of electronic warehouse receipts; revise financial statement requirements for applicants for a warehouse or grain buyer license by changing the types of allowed financial statements and what statements are required under what specified circumstances; revise balance sheet requirements; require a grain buyer's bond to list each location of the buyer; set forth the requirements if an additional bond is furnished by a grain buyer; state when a bond may be released; repeal rules concerning decals for grain buyer vehicles; allow a voluntary credit sale grain contract that is not signed by both parties to be enforceable if a writing in confirmation is sent and no objection is made to the writing in confirmation; set notice requirements if a grain buyer's license is suspended or revoked; and require notice of the transfer of ownership of a grain buyer's grain receiving facility; 40 SDR 7. |
| 7-31-2013 | Secretary of State | Amend rules to implement legislation concerning the forms accepted for Uniform Commercial Code and to establish a more consistent and practical fee for voter registration files that are sold; 40 SDR 13. |
| 7-31-2013 | Secretary of State: Board of Elections | Amend rules to update the instructions provided by agencies that administer voter registration; clarify a portion of the potential duplicate notice; implement legislation concerning the voter registration of adult children of overseas citizens; implement legislation concerning the date of a secondary election; clarify language to affirm an inactive voter's current address; and implement legislation concerning absentee voting; 40 SDR 13. |
| 8-1-2013 | Game, Fish and Parks | Amend a Refuges' rule to remove approximately 62.5 acres of privately owned real estate from the Renziehausen Slough State |

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| | | Game Bird Refuge in Brown County; amend Waterfowl Hunting Seasons (Duck Hunting Season) rules to increase the daily bag limit for scaup and increase the possession limit for ducks, coots, and mergansers as recently approved by the U.S. Fish and Wildlife Service; amend Waterfowl Hunting Seasons (Goose Hunting Season) rules to increase the Canada goose daily bag limit contingent upon approval from the U.S. Fish and Wildlife Service, increase the white-fronted goose daily bag limit, modify the white-fronted goose season from 86 to 72 consecutive days beginning the last Saturday of September, and increase the possession limit for geese as recently approved by the U.S. Fish and Wildlife Service; and amend a Depredation Permits rule to allow an individual who wishes to participate in depredation hunts to register for no more than 10 counties; 40 SDR 13. |
| 8-14-2013 | Revenue: SD Lottery Commission | Adopt the Powerball Game Rules and the Power Play rules of the Powerball game, the Wild Card Game Rules, the Hot Lotto Game Rules, and the Mega Millions Game Rules and the Megaplier promotion special game rules of the Mega Millions game, as last amended by each of the respective Product Game Groups of the Multi-State Lottery Association ("MUSL"), as the rules of the South Dakota Lottery for said games; 40 SDR 21. |
| 8-15-2013 | Environment and Natural Resources: Board of Minerals and Environment | Update the state's existing hazardous waste rules by incorporating updated federal regulations by reference. These updates reflect changes made to the federal hazardous waste rules from July 1, 2010 through June 30, 2012. Changes include establishing procedures for identifying and managing certain hazardous secondary materials destined for recycling, and making technical and typographical corrections to the federal rules; 39 SDR 201. |

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held Wednesday, July 31, 2013, in Room 414, Fourth Floor, of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2013 interim: August 20, September 17, November 12, and December 17.

Note: An updated version of the Administrative Rules Guide to Form and Style is available on the Legislative Web site at <http://legis.state.sd.us/rules/index.aspx>.